RCRA Compliance Evaluation Inspection

McCormick Paint Works
2355 Lewis Avenue
Rockville, MD 20851

Montgomery County

RCRA Identification Number: MDD003248275
NAICS Code: 325510

Date of Inspection: May 26, 2010

EPA Representatives:

Jan P. Szaro, Environmental Engineer
U.S. Environmental Protection Agency
(215) 814-3421

Gary Morton, Environmental Protection Specialist
U.S. Environmental Protection Agency
(215) 814-3159

Facility Representatives:

Malcolm Allison, Senior Vice President/ Manufacturing & Distribution
(301) 770-3235 Ext. 143

Victor Melara, Safety/Manufacturing Operations Coordinator
(301) 770-3235 Ext. 132

Jan P. Szaro
Land & Chemicals Division
August, 2010

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1.0 Introduction

On May 26, 2010, the United States Environmental Protection Agency, Region III (EPA), Land and Chemicals Division, Office of Land Enforcement (OLE) conducted an unannounced Compliance Evaluation Inspection (CEI) under the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S.C. Sections 6901 et seq. of McCormick Paint Works in Rockville, MD. USEPA representatives Jan Szaro and Gary Morton conducted the inspection. The Maryland Department of the Environment was notified of the scheduling of the inspection on May 11, 2010 but was not able to have a representative present for the inspection. The facility was represented by Malcolm Allison, Senior Vice President/ Manufacturing and Distribution, and Victor Melara, Safety/Manufacturing Operations Coordinator.

The inspectors arrived at the facility on May 26th at 9:30 AM. The EPA inspector identified himself to the receptionist in the front lobby and asked for the Environmental Manager of the facility. The receptionist summoned Mr. Melara to the lobby, who then escorted the inspectors inside the facility and conducted them to his office for the opening conference. The inspectors presented their credentials to Mr. Melara and Mr. Szaro then explained the purpose of the RCRA Subtitle C inspection to be conducted at the facility and that a RCRA Subtitle I UST inspection would be concurrently conducted at the facility. The inspection included an evaluation of the facility's paint manufacturing processes and compliance with the Federal and State hazardous waste regulations.

All information included in this report are the results of statements made by the facility representatives, materials shown to the inspectors by the facility representatives during the inspection, information and documents provided by the facility representatives to EPA during or after the inspection, and a review of the facility's EPA and State records.

2.0 General Facility Information

2.1 Description of Facility

This McCormick Paint Works (McCormick) facility is located at 2355 Lewis Avenue in Rockville, Maryland. The facility is a custom paint manufacturer that produces both water based and oil based paints. There is a sister manufacturing facility located in Frederick, Maryland. The Rockville facility is the corporate headquarters. Mr. Casey McCormick is the Chief Executive Officer of the company. He maintains an office at the Rockville facility.

McCormick was first established in 1959 in Bethesda, Maryland by the McCormick family. That same year the McCormicks brought in a chemist, Gordon Allison, to aid in getting the operation established. In 1967 McCormick built the current Rockville facility. The site was undeveloped when acquired by McCormick. McCormick expanded operations in 1985 with the opening of the Frederick manufacturing facility. General information on the company is included as Attachment 1.

There are currently 49 full time employees operating the Rockville facility on a single shift, five days per week. Shift hours run from 7AM – 4PM. In addition to the manufacturing and administrative operations, there is a spray store also located on the premises. Paint supplies are sold there and spray machines are brought in for service and repair. Mr. Melara is the environmental contact for all operations conducted at the Rockville facility, which includes the spray store. Mr. Melara reports directly to Mr. Malcolm Allison who is the son of Gordon Allison, one of the cofounders of the company.

3.0 Process Description

McCormick Paints is a custom batch formulator of liquid pains and coatings. The facility manufactures both water based and oil based coatings. According to Mr. Melara, the current split is approximately 90% water based and 10% oil based. All of the oil based products manufactured by McCormick is produced at the Rockville facility. Mr. Melara stated that their demand for oil based product has been dropping consistently due to the increasing availability of water based products that can replace oil based products in a variety of applications.

Mr. Melara further stated that McCormick is looking to exit the oil based paint manufacturing business and is considering making arrangements for toll manufacturing of these products to satisfy their customer's needs. Once the facility exits the manufacture of oil based paints, it was stated that the three USTs at the facility would no longer be needed and McCormick would consider their permanent closure. An inspection of the USTs was concurrently conducted the day of this inspection and a separate report has been generated.

The process used is a batch mixing operation. For a 200 gallon batch, the entire process takes place in one of the mixing tanks located on the lower level of the manufacturing operation. The facility can also manufacture 500 – 1000 gallon batches using the larger mix tanks located on the upper manufacturing level. For the larger batches, the base will be prepared in one of the 200 gallon mix tanks on the lower level and then transferred upstairs to the appropriate large mix tank and the batch will be completed.

For a water based batch the base will consist of pigment, water latex polymer and biocides. After the base has been prepared, more of each of the base ingredients will be added along with other additives. For an oil based product, ingredients such as ethylene glycol, mineral spirits and methanol are used in place of water. Before a batch is cleared for packaging, it is tested for viscosity and tint. A test drawdown is also made to check the flow properties of the coating. Any adjustments are made in the mix tank after which the batch is released to filtering and packaging.

Cleanouts are required between batches so as not to contaminate the subsequent batch. For a water based batch, water is employed to clean the equipment. McCormick only employs a sanitary sewer system so the facility collects all water flushes either in

containers or in the "dirty water" tank. The water flushes are then incorporated in subsequent batches as appropriate.

For oil based batches the facility uses mineral spirits for cleaning. The dirty mineral spirits are collected after cleaning and are classified as light, dark or real dark. The class of used mineral spirits is then incorporated into a subsequent batch of a tint that will accommodate said used mineral spirits.

Once a batch is cleared for packaging the product is filtered thru filter bags and packaged into containers. The facility rinses the filter bags and dries them for reuse. The filter washing is another source of flush materials that are then collected and reused.

4.0 Hazardous and Universal Waste Generation

Prior to beginning the tour of the facility, the Waste streams generated by the facility were discussed. Mr. Melara stated that he had been at the facility for three years and that during that time there were only two occasions where waste was manifested out. These shipments were said to consist of one nonhazardous waste shipment in 2009 and one hazardous waste shipment in 2008. The facility was noted to be listed as a nongenerator of hazardous waste in a RCRA Info pull executed on May 20, 2010 that is included as Attachment 2.

4.1 Hazardous Wastes

Other than on the episodic occasions mentioned above, it was stated that the facility does not generate hazardous waste on a regular basis. The facility collects all materials used for flushing and cleaning the manufacturing equipment and uses these collected materials in subsequent batches. Drum containers are sent to a reconditioning facility for cleaning and are then bought back by the facility. The Laboratory was stated to do only physical testing on QC samples and that the QC sample retains are eventually recycled into production batches after they exceed their required hold times. The spray shop was stated to conduct cleaning and maintenance operations of spray equipment but that hazardous waste was not generated in the area. In the past it was stated that there was significant usage of aerosol cans in the maintenance shop but that that is no longer now the case.

4.2 Universal Wastes

- **Used Lamps** – Mr. Melara stated that the facility purchases their fluorescent lamps from Home Depot and that they collect the used lamps and return them to Home Depot for recycling.

5.0 Inspection Observations

5.1 Warehouse #2 – Lower Level

This area is primarily used for the temporary storage of flushes from cleaning of the manufacturing equipment and containers of paints that are awaiting use in upcoming production batches. The facility had the oil based generated materials segregated from the water based materials.

PHOTO C-1 of the Photographic Log, included as Attachment 3, shows two (2) intermediate bulk containers (IBCs) of processed water generated from cleanouts after the production of water based products. PHOTO C-2 is a close up of the labeling used by the facility to identify the particular process the material was generated from. PHOTO C-9 shows the area where containers of water based paint are stored which are further segregated by type and held for use in future production batches.

Oil based washes are stored along a separate wall of this area and are shown in PHOTOS C-3, C-4 and C-5. Identifying markings were observed on these containers as to the particular products associated with their generation. Additional markings classifying the wash as light, dark or real dark were further observed.

5.2 Manufacturing – Lower Level

This area houses the mixing stations for the facility's smaller scale mixing equipment which consists of 200 gallon mix tanks as shown in PHOTO C-6. The mixers are set in fixed locations and the 200 gallon mobile mix tanks are moved around the area as needed. The batch in process at Mix Station #3 in Tank #35 was observed to be covered with plastic. Mr. Melara stated that this was an oil based batch. The plastic covering is utilized to minimize loss of VOC vapors.

Pipe drops used to supply oil based raw materials from storage tanks on the upper level to this area are located along the rear wall of the lower manufacturing level. The drops are shown in PHOTO C-7. The facility also utilizes this area for the storage of empty 200 gallon mix tanks.

Nearby is a diaphragm pump shown in PHOTO C-10. When the facility uses one of the 200 gallon mix tanks to make a premix for one of the larger mix tanks on the upper level this pump is used to transfer the premix. PHOTO C-8 shows the bottoms of some of the larger mix tanks that extend down from the upper level.

5.3 Outside Area behind Facility

This area is accessed from the manufacturing area by the stairs shown at the rear of PHOTO C-8. Three (3) dust collectors were observed outside as shown in PHOTO C-11. A 55 gallon container was observed connected to each of the dust collectors. No markings were observed to identify the contents of these containers. Mr. Melara stated

that pigment dust is collected in each of these containers that is then either reused by the facility or disposed of as nonhazardous waste.

5.4 Manufacturing – Upper Level

The largest mix tanks used at the facility, 1000 gallon capacity each, are shown in PHOTO C-12. Two separate sets of 500 gallon mix tanks are shown in PHOTOS C-13 and C-15. In PHOTO C-15, mix tank #2 was observed to contain a batch of water based yellow traffic paint. A look down view of the lower level manufacturing area taken from the upper manufacturing level is provided in PHOTO C-14.

5.5 Laboratory

Test procedures that were observed being performed in the Lab were viscosity, color matching and actual draw downs. A large collection of small product containers was also observed. It was stated that these were QC retain samples that needed to be held for perquisite retention times. Upon release from the Lab, these samples are brought to the warehouse area for inclusion into future production batches.

A small collection of new lamps and aerosol cans was observed on a shelving unit in the Lab as shown in PHOTO C-16. It was stated that these items had been in storage for years and were no longer used by the facility. A collection of new filter bags is seen at the lower left of the same photo, The facility representative stated that the filter bags are washed and reused several times until they eventually must be replaced.

5.6 Spray Shop

The facility houses a company store which offers a full line of paint products and equipment to the public. Adjacent to the store itself is the spray shop where paint spraying equipment is maintained and repaired. Containers of used rags were observed in this area. The facility representative stated that these rags are laundered by CINTAS and are then returned to the facility.

5.7 Shipping Container outside the Spray Shop

Located immediately next to the roll up door of the Spray Shop an open shipping container was observed. A view of the inside of the container as viewed from just outside the open door is provided in PHOTO C-18. Of particular interest are the three (3) 55 gallon containers shown in the foreground of the photo. PHOTOS C-21 and C-18 show the blue 55 gallon container which was observed to be marked as "Used Thinner" and dated 10/22/09. An open funnel was observed in this container as shown in PHOTO C-21 rendering the container open. The container was observed to be about 75% full.

PHOTO C-20 is of the middle container from PHOTO C-18. This container was observed to be closed and marked as "Used Lacquer Thinner", "Begin Date 6/30/08". This container was observed to be almost completely full. The third container is shown

in PHOTO C-19. The container is marked as "Used Oil". Open funnels were observed in each of the bung holes of the container rendering it open.

6.0 Records Review

6.1 Manifests

The facility had documentation of a single shipment of hazardous waste since 2008. The shipment consisted of a corrected amount of 15,620 pounds of waste paint shipped on March 4, 2008 to the GRR facility in Sumter, SC. Copies of the TSD signed copy of the manifest and of the LDR form are included as Attachment 4.

7.0 Closing

Mr. Allison and Mr. Melara were present for the closing conference with USEPA Inspectors Jan Szaro and Gary Morton. The observations of both the Hazardous Waste and the UST inspections were discussed at this time.

With regard to Hazardous Waste, Areas of concern raised are as follows:

1) **Hazardous Waste containers that were not closed:**
   A) Shipping container by Spray Shop
      (1) 55 gallon container of Used Thinner

2) **Satellite container not at or near the point of generation or under the control of the operator**
   A) Shipping container by Spray Shop
      (2) 55 gallon containers, Used Thinner & Used Lacquer Thinner

3) **Satellite accumulation in excess of 55 gallons**
   A) Shipping container by Spray Shop
      Combined volume of the Used Thinner & Used Lacquer Thinner containers

8.0 Attachments

1. General Facility Information
2. May 2010 Comprehensive Compliance Monitoring and Enforcement Report
3. Photographic Log
4. Documentation from March 4, 2008 hazardous waste shipment

ATTACHMENT 1

Search

Monday July 19, 2010

History of McCormick Paints

McCormick Paints has a rich and unique history. Founded by Thomas P. McCormick over 45 years ago, McCormick Paints has become a well known leading manufacturer in the paint industry. As a family owned business, we are able to give our customers the personalized attention they require.

McCormick Paints Milestones **click images for larger views*:

1955: Thomas P. McCormick joins sales team of Devoe Reynolds Company, New York

1957: Tom McCormick joins his father's paint distribution company, McCormick and Son, in Washington DC

1959: Tom McCormick decides the future success of McCormick and Son is in paint manufacturing and places an ad in the local Baltimore newspaper for a chemist to assist him.

1959: English chemist Gordon Allison joins McCormick as head chemist

1959: McCormick and Allison begin to manufacture paint under the name McCormick Paint Works Company starting in a small metal building in Bethesda, MD

1960: McCormick Paint Works Company is incorporated and McCormick's father joins the business. For the next few years McCormick and Allison manufacture paint in the mornings to be sold in the afternoons. At this time, the daily batches are between 100 and 200 gallons. The product is an interior paint simply called: McCormick Paint.

McCormick and Allison grow McCormick Paints over the next few years with a combination of excellent manufacturing and sales abilities. In the early years as McCormick Paints grows in volume and name recognition, color cards and official paint can labels are incorporated into their selling strategy. The first color cards are hand made by McCormick family members.

1967: As the company grows, Tom McCormick builds the current headquarters location in Rockville, Maryland, and includes a store front in the lobby.

1967: Jim Hennessy joins McCormick Paints as Vice President of Sales and is a major contributor to further impressive company growth.

1974: After working as the consulting CPA for McCormick Paints for 14 years, Yamna Stanger joins the company as Controller. Stanger is instrumental in solidifying and strengthening the financial foundation of McCormick Paints for the next 30 years.

1978: McCormick Paints opens second store in Springfield, VA.

At this time, McCormick Paints is one of about 13 paint companies in the Mid Atlantic region. The rate of growth experienced by McCormick Paints at this time is exceptional. The longevity of McCormick Paints is evident in the fact that only 2 of the original 13 paint companies of the Mid Atlantic region remain in business today.

1980-1989: McCormick Paints experiences growth unlike any other regional paint manufacturer. Focus on home builders, property management, painting contractors, and custom painters produces record sales during this time.

1989:

20,000 square foot automated manufacturing plant is built in Frederick, Maryland.

1990: McCormick Paints continues to grow in professional painting market segments and puts additional focus on architects, interior designers, home owner associations, and retail.

1990: Yamna Stanger is named CFO, Secretary / Treasurer and is appointed as a Board member.

1991: McCormick Paints now has 15 stores throughout the Mid Atlantic region.

1994:

30,000 square foot distribution center is added to Frederick, Maryland manufacturing plant.

1999: McCormick Paints now has 20 stores throughout the Mid Atlantic region.

2000: Tom McCormick becomes CEO, after over 40 years of running the daily operations of the company. McCormick names Casey McCormick President of McCormick Paints.

2004:

Gordon Allison retires after 45 years of working side by side with Tom McCormick.
(Gordon Allison at left, Tom McCormick to right)

2005: McCormick Paints now has 24 stores throughout the Mid Atlantic region.

2008: McCormick Paints receives the GREEN WISE^{CM} certification from Coatings Research Group, Inc. This certification applies to McCormick products that meet or exceed environmentally determined testing standards and are environmentally preferred over traditional paints and coatings.

CERTIFIED BY green wise^{CM} COATINGS RESEARCH GROUP INCORPORATED

McCormick Paints
Commitment to Community

McCormick Paints
Corporate Headquarters
2355 Lewis Avenue - Rockville, MD 20851
Phone: (301) 770-3235 - Fax: (301) 770-9814
Toll Free: 1-877-PAINT-55
info@mccormickpaints.com

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Environmental Manufacturing

McCormick Paints adheres to all federal, state, and local guidelines regarding our manufacturing processes. Our manufacturing facilities in Rockville and Frederick, Maryland, produce the highest quality paints while constantly addressing the safety of our employees and the environment. Both manufacturing plants are no waste operations and 100% recyclable.

View our Slideshow to learn more about McCormick's environmental programs.

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McCormick Paints
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2355 Lewis Avenue - Rockville, MD 20851
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ATTACHMENT 2

Comprehensive Compliance Monitoring and Enforcement Report

Report run on: May 20, 2010 - 11:21 AM

Version: 5.0

User Selection Criteria

Location:	Maryland, all activities	**Activity Location:**	None Chosen
Handler ID:	MDD003248275	**Group of IDs:**	None Chosen
Handler Name:	McCormick Paint Works	Montgomery County	
Handler Universe:	No Additional Restrictions		
Evaluation Date Range:	From Date: 10/01/1990 To Date: 05/20/2010		
Location County Code:	None Chosen	**Extract Flag:**	Include All Sites
Location City:		**Evaluation Suborganization:**	
Location Zip Code:		**Evaluation Person:**	
State District:		**Evaluation Focus Area:**	
Federal Facilities:	No, Show All	**Only Eval's with Viol's:**	No, All Evaluations
Evaluating Agencies:	None Chosen		
Evaluation Types:	None Chosen		
Violation Types:	None Chosen		
Sort Order:	Region, State, Handler Name		
Display Code Descrip.:	No		
Display Universes:	Yes		

Results

Data meeting the criteria you selected follows.

Total Pages: 3 Handler Count: 1

Report Description

This report provides a complete listing of evaluation, violation and enforcement activities for each Handler, including all orphan records. Below the Handler ID information, the data is presented in three sections; evaluations, violations and enforcements. Comments, referred to as Notes, are provided in each respective section. Since evaluations are included regardless of whether or not violations are identified, this report also serves as a useful management tool for tracking progress made towards meeting RECAP commitments.

Report Information

Name:	cme_comprehensive.rdf
Developed by:	EPA Headquarters, Office of Enforcement and Compliance Assurance
Deployed Date:	November 2005
Last Updated:	May 2010
Contact:	rcrainfo.help@epa.gov
Tables Used:	cmecomp3, hreport_univ5, ccitation3, hhandler4, lu_state, hid_groups
Libraries:	none

This report may contain enforcement sensitive data.

MCCORMICK PAINT WORKS CO County Name / Code: MONTGOMERY / MD031 **MDD003248275**

Location: 2355 LEWIS AVE; ROCKVILLE, MD 20851 **REGION 03**

Mailing: 2355 LEWIS AVE; ROCKVILLE, MD 20851

Activity Location: MD | State District: | Accessibility: | Non-Notifier: | Extract Flag: Y | Active Site: N

Generator:	N	Transporter:	N	Operating TSDF:	—	IC In Place:	N	EI Indicator (HE / GW):	N / N
Short-Term Gen:	N	Transfer Facility:	N	Offsite Receiver:	N	HSM:	N	Subpart K:	—
Full Enforcement:	—	Converter:	—	State Unaddressed SNC:	N	EPA Unaddressed SNC:	N		
CA Wrkld:	N	State TSDF:	—	State Addressed SNC:	N	EPA Addressed SNC:	N		
Active State Gen:	N			State SNC w/Comp Sched:	N	EPA SNC w/Comp Sched:	N		

CEI Evaluation 01/09/2007 Activity Location: MD By: STATE Identifier: 001 Person: MDLJM Suborganization: Found Violation: NO

Citizen Complaint: NO Multimedia Inspection: NO Sampling: NO Not Subtitle C: NO Day Zero: 01/09/2007 Focus Area:

No Linked Violations

CSE Evaluation 01/28/1991 Activity Location: MD By: STATE Identifier: 002 Person: Suborganization: Found Violation: NO

Citizen Complaint: NO Multimedia Inspection: NO Sampling: NO Not Subtitle C: NO Day Zero: Focus Area:

Eval. Notes: RCRA FOLLOW-UP

No Linked Violations

CEI Evaluation 12/27/1990 Activity Location: MD By: STATE Identifier: 001 Person: Suborganization: Found Violation: YES

Citizen Complaint: NO Multimedia Inspection: NO Sampling: NO Not Subtitle C: NO Day Zero: Focus Area:

Eval. Notes: ROUTINE INSPECTION

Violation: Activity Location: MD Type: 262.A Determined Date: 12/27/1990 Determined by Agency: STATE Responsible Agency: STATE

Scheduled Compliance Date: Actual Compliance Date: 01/28/1991 RTC Qualifier: OBSERVED Sequence Number: 1

Former Citation - SR - 26.13.05.04 B(1)

Viol. Notes: CONTINGENCY PLAN

Enforcement: Activity Location: MD Type: 120 Action Date: 12/27/1990 Identifier: 001

Docket: Agency: STATE Responsible Person: Branch:

CA Component: N Disposition Status: Appeal Initiated: Appeal Resolved:

Violation: Activity Location: MD Type: 262.A Determined Date: 12/27/1990 Determined by Agency: STATE Responsible Agency: STATE

Scheduled Compliance Date: Actual Compliance Date: 01/28/1991 RTC Qualifier: OBSERVED Sequence Number: 2

Former Citation - SR - COMAR 26.13.05.09

Viol. Notes: NO SECONDARY CONTAINMENT SYSTEM

Enforcement: Activity Location: MD Type: 120 Action Date: 12/27/1990 Identifier: 001

Docket: Agency: STATE Responsible Person: Branch:

CA Component: N Disposition Status: Appeal Initiated: Appeal Resolved:

Violation: Activity Location: MD Type: 262.A Determined Date: 12/27/1990 Determined by Agency: STATE Responsible Agency: STATE

Scheduled Compliance Date: Actual Compliance Date: 01/28/1991 RTC Qualifier: OBSERVED Sequence Number: 3

Former Citation - SR - COMAR 26.13.05.02G

Viol. Notes: CONTAINER WERE CLOSED DURING STORAGE

Enforcement: Activity Location: MD Type: 120 Action Date: 12/27/1990 Identifier: 001

Docket: Agency: STATE Responsible Person: Branch:

CA Component: N Disposition Status: Appeal Initiated: Appeal Resolved:

This report may contain enforcement sensitive data.

MCCORMICK PAINT WORKS CO, MDD003248275, ROCKVILLE, MD, continued -

Violation: Activity Location: MD Type: 262.A Determined Date: 12/27/1990 Determined by Agency: STATE Responsible Agency: STATE
Scheduled Compliance Date:. Actual Compliance Date: 01/28/1991 RTC Qualifier: OBSERVED Sequence Number: 4
Former Citation - SR - COMAR 26.13.05.02G
Viol. Notes: COMPANY FAILED TO CONDUCT PERSONNEL TRAINING COURSES

Enforcement: Activity Location: MD Type: 120 Action Date: 12/27/1990 Identifier: 001
Docket: Agency: STATE Responsible Person: Branch:
CA Component: N Disposition Status: Appeal Initiated: Appeal Resolved:

Violation: Activity Location: MD Type: 262.C Determined Date: 12/27/1990 Determined by Agency: STATE Responsible Agency: STATE
Scheduled Compliance Date: Actual Compliance Date: 01/28/1991 RTC Qualifier: OBSERVED Sequence Number: 5
Former Citation - SR - COMAR 26.13.02.02F
Viol. Notes: FAILURE TO DEMONSTRATE HW STATUS FOR WASTE PAINT RELATED MATERIALS

Enforcement: Activity Location: MD Type: 120 Action Date: 12/27/1990 Identifier: 001
Docket: Agency: STATE Responsible Person: Branch:
CA Component: N Disposition Status: Appeal Initiated: Appeal Resolved:

Total Number of Handlers: 1

Total Number of Activity Locations: 1

*** End of Report ***

ATTACHMENT 3

McCormick Paints
Rockville, MD
RCRA ID# MDD003248275

5/26/10

PHOTO C-1

Warehouse #2 – Lower Level
Two containers of processed water awaiting use in manufacturing

McCormick Paints
Rockville, MD
RCRA ID# MDD003248275

5/26/10

PHOTO C-2

Warehouse #2 – Lower Level
Close up of the processed water container from PHOTO C-1

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-3

Manufacturing – Lower Level
Containers of various washes from oil based paint production awaiting reuse

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-4

Manufacturing – Lower Level
Containers of washes from oil based paint production, small containers at left are Lab QC samples. All are awaiting reuse in production batches

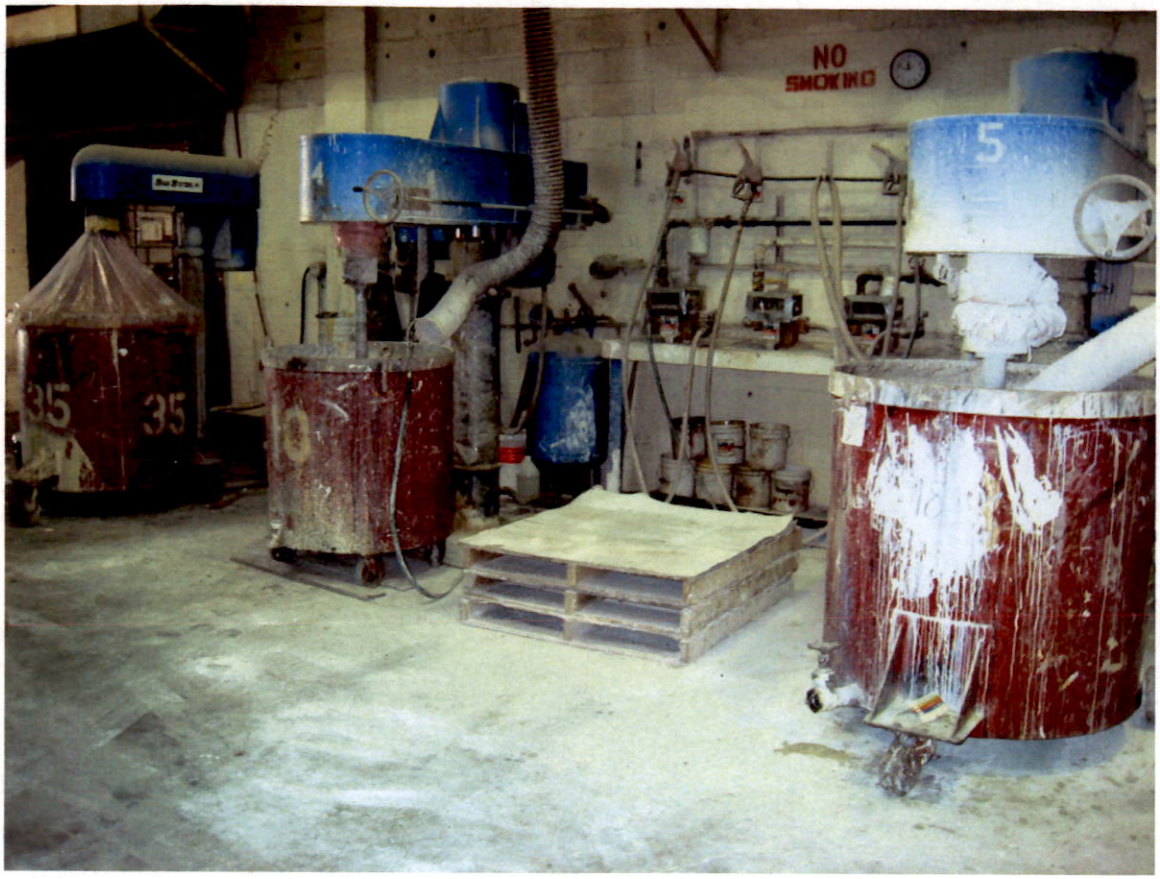
McCormick Paints
Rockville, MD
RCRA ID# MDD003248275

5/26/10

PHOTO C-5

Manufacturing – Lower Level
Additional containers of washes from oil based paint production awaiting reuse

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-6



Manufacturing – Lower Level
Typical 200 gallon mixer set ups
Tub #35 at left covered with plastic to limit VOC vapors

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-7

Manufacturing – Lower Level
Pipe drops for oil based raw materials stored in tanks on the upper level

McCormick Paints
Rockville, MD
RCRA ID# MDD003248275

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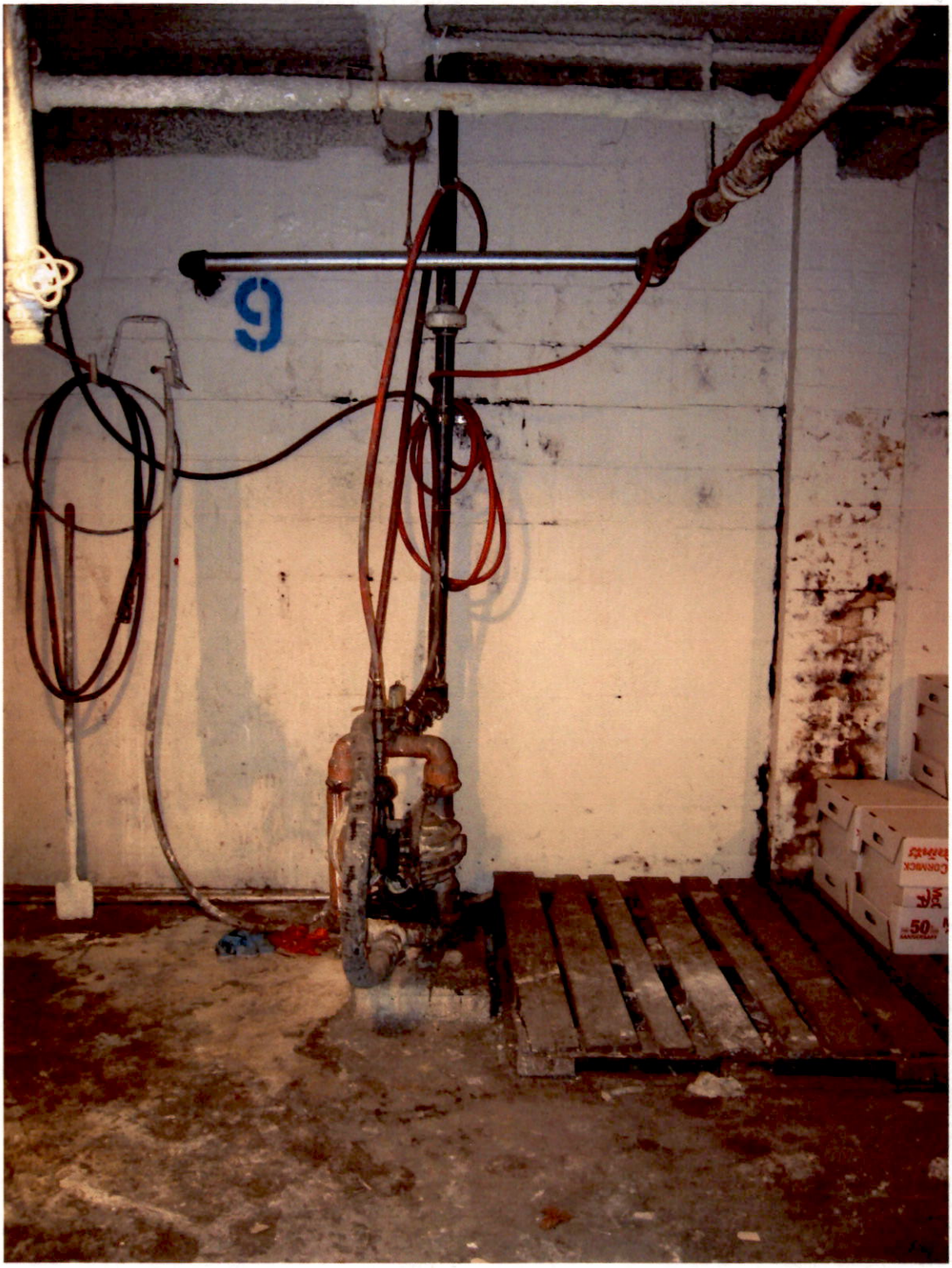
PHOTO C-8

Manufacturing – Lower Level
Bottoms of 500 gallon mix tanks located on upper level

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-9

Warehouse - Lower Level
Containers of water based paints awaiting blending
Small containers are mostly Lab samples

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-10



Warehouse – Lower Level
Diaphragm pump used to pump premix batches to the larger mix tanks on the upper level

McCormick Paints
Rockville, MD
RCRA ID# MDD003248275

5/26/10

PHOTO C-10

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-11

Area behind facility
Three dust collectors, each with a 55 gallon collection container

McCormick Paints
Rockville, MD
RCRA ID# MDD003248275

5/26/10

PHOTO C-12

Manufacturing – Upper Level
Set of 1000 gallon mix tanks on upper level

McCormick Paints
Rockville, MD
RCRA ID# MDD003248275

5/26/10

PHOTO C-13

Manufacturing – Upper Level
Set of 500 gallon mix tanks, bottoms of these tanks are shown in PHOTO # C-8

McCormick Paints
Rockville, MD
RCRA ID# MDD003248275

5/26/10

PHOTO C-14

Manufacturing – Upper Level
Look down at lower level of manufacturing

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-15

Manufacturing – Upper Level
Another set of 500 gallon mix tanks, Tank #2 contains water based yellow traffic paint

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-16

Laboratory
Lamp and aerosol can storage

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-17

Shipping container next to Spray Shop
Three 55 gallon containers as seen from outside the container

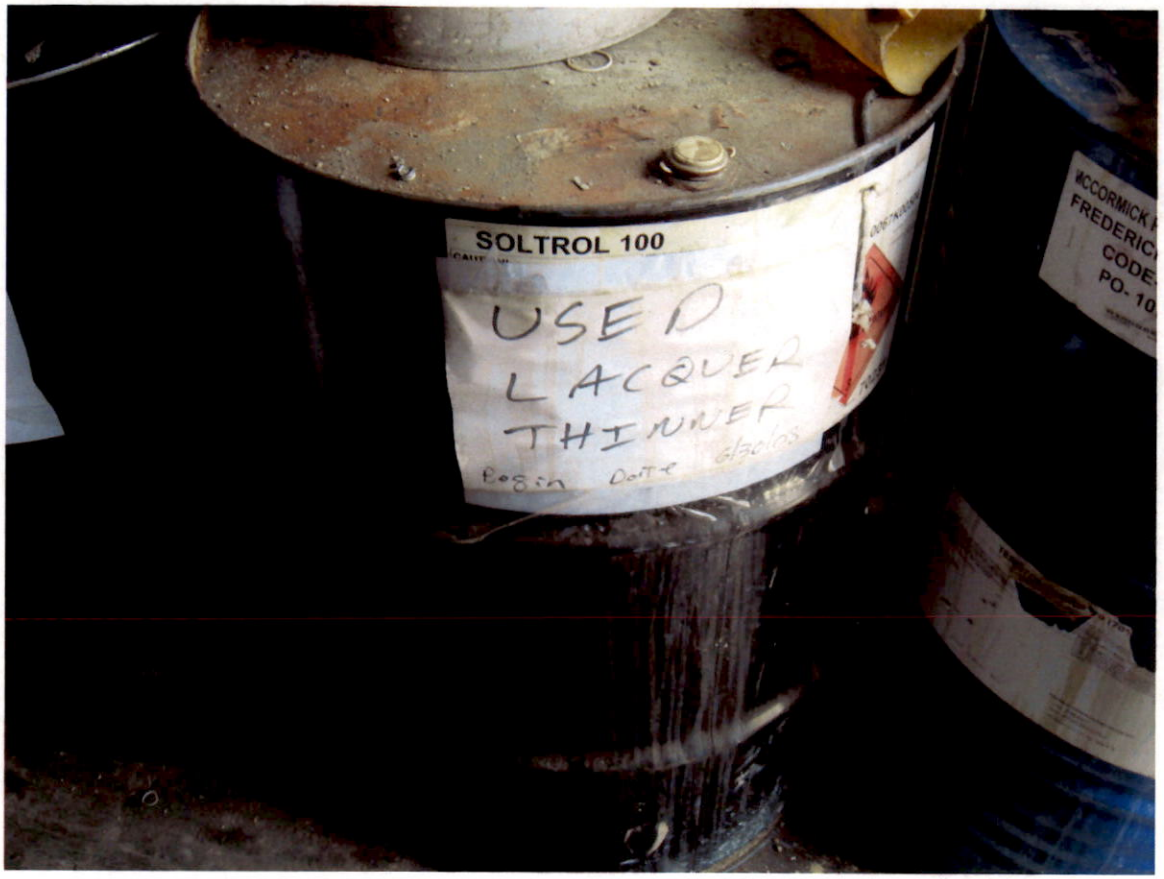
McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-18

Shipping container outside Spray Shop
Close up of the used thinner drum dated 10/22/09

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-19

Shipping container outside the Spray Shop
Close up of third container in from open door
Labeled as Used Oil, container is open with funnels in each bung hole

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-20



Shipping container next to Spray Shop
Close up of middle container from the open door
Container labeled as "Used Lacquer Thinner", Begin Date 6/30/08

McCormick Paints 5/26/10
Rockville, MD
RCRA ID# MDD003248275 PHOTO C-21

Shipping container next to Spray Shop
Close up of container nearest the open door
Marked as "Used Thinner", dated 10-22-09, container is open with funnel with 2 inch bung hole

ATTACHMENT 4

Giant Resource Recovery-Sumter, Inc.

755 Industrial Rd - PO Box 1755 - Sumter, SC 29151 - Phone: (803) 773-1400 - Fax: (803) 775-9601

CERTIFICATE OF COMPLIANCE AND DISPOSAL

Generator: MCCORMICK PAINTS
2355 LEWIS AVENUE
ROCKVILLE MD 20851

EPA ID Number: MDD003248275
Manifest No: 002340792JJK
Date Received: 3/6/2008

Receiving Facility: Giant Resource Recovery-Sumter, Inc.
EPA ID No: SCD036275626
Facility Address: 755 Industrial Blvd.
Sumter SC 29151

On the referenced date, your waste material was received at our facility for the purpose of treating for disposal and/or recycling for reuse.

It will be processed in accordance with state and federal regulations. Any portion not recycled for reuse will ultimately be sent by Giant Resource Recovery to a permitted disposal facility.

Document: 253341 Date Shipped: 3/5/2008

25330 PA

ORDER#449475

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number	2. Page 1 of	3. Emergency Response Phone	4. Manifest Tracking Number
MDD003248275	1	800-535-5053	002340792 JJK

GENERATOR

5. Generator's Name and Mailing Address
MCCORMICK PAINT WORKS CO.
2355 LEWIS AVENUE
ROCKVILLE MD 20851
Generator's Phone: 301-770-3235

Generator's Site Address (if different than mailing address)

6. Transporter 1 Company Name: ENVIRITE OF PENNSYLVANIA, INC.
U.S. EPA ID Number: PAD010154045

7. Transporter 2 Company Name
U.S. EPA ID Number

8. Designated Facility Name and Site Address: GIANT RESOURCE RECOVERY
755 INDUSTRIAL ROAD
SUMTER SC 29150
U.S. EPA ID Number: SCD036275626
Facility's Phone: 877-473-6664

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
X	1. WASTE PAINT, 3, UN1263, PGII ERG#128	010	CW	EST. 20000	P	D001	D035	
	2.							
	3.							
	4.							

14. Special Handling Instructions and Additional Information
EMERGENCY CONTACT: 800-535-5053 *ER CALLER MUST IDENTIFY UNIVAR USA AS REGISTRANT* #11 IS ESTIMATE
LINE 9b.1.APPROVAL# 97752 MD-HWH-236, VIC, #01779 hrivor

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name	Signature	Month	Day	Year
Malcolm Allison		3	4	08

INTL

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

TRANSPORTER

17. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name	Signature	Month	Day	Year
JAMES E. MILLER, JR		03	25	08
Transporter 2 Printed/Typed Name	Signature	Month	Day	Year

DESIGNATED FACILITY

18. Discrepancy

18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection
10.1 Type = CF
Manifest Reference Number:

18b. Alternate Facility (or Generator)
U.S. EPA ID Number
Facility's Phone:

18c. Signature of Alternate Facility (or Generator) — Month / Day / Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1.	2.	3.	4.
H061 15620 #			

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

Printed/Typed Name	Signature	Month	Day	Year
Robert Sellers		03	06	08

GENERATORS NOTIFICATION OF TREATMENT REQUIREMENTS FOR WASTES RESTRICTED FROM LAND DISPOSAL UNDER 40 CFR 268 SUBPART D

MANIFEST NUMBER: 007340797JJK EPA ID NUMBER: MDD 003248275

EPA WASTE CODE: D001 D035 PROFILE NUMBER: 97752

WASTE CATEGORY [Check appropriate line(s)]

☐ **Unrestricted Waste Notification**

The disposal of this waste is not restricted as specified in 40 CFR 268, subpart D and all prohibitions set forth in 40 CFR 268.32 or RCRA Section 3004(d).

☒ **Restricted Waste Notification**

A ☒ This is a restricted waste which meets the treatment standards as specified in 40 CFR 268, Subpart D.

B ☐ This waste does not meet the treatment standards specified in 40 CFR 268, Subpart D. Waste must be treated to the appropriate standard and in such a manner which renders it non-liquid by chemical fixation or solidification prior to land disposal. [See treatment standard below or see attached Part II section(s).]

C ☐ This shipment includes RCRA Section 3004(d) California list wastes. Circle or otherwise indicate individual constituents likely to be present in the waste.

	EPA CODES	SUBCATEGORY or WASTE DESCRIPTION	CONSTITUENT CONCERN	NON-WASTEWATER TOTAL COMPOSITION (mg/kg)	NON-WASTEWATER TCLP (mg/L)	WASTEWATER TOTAL COMPOSITION (mg/L)
CALIFORNIA LISTED WASTE LAND DISPOSAL PROHIBITION LEVELS						
☐		Arsenic bearing liquid wastes	Arsenic (As)	500		
☐		Cadmium bearing liquid wastes	Cadmium (Cd)	100		
☐		Chromium bearing liquid waste	Chromium (Cr)	500		
☐		Lead bearing liquid wastes	Lead (Pb)	500		
☐		Nickel bearing liquid wastes	Nickel (Ni)	100		
☐		Mercury bearing liquid wastes	Mercury (Hg)	20		
☐		Selenium bearing liquid wastes	Selenium (Se)	100		
☐		Thallium bearing liquid wastes	Thallium (Th)	130		
☐		PCB bearing liquid wastes	Polychlorinated Biphenyls	50		
☐		Cyanide bearing liquid wastes	Cyanide (Total)	1000		
☐		Liquid wastes with a pH ≤ 2.0		pH ≤ 2.0		
☐		HOC bearing liquid wastes	HOCs listed below	1000		

D ☐ This shipment includes hazardous debris. (Check certification B or C)

As required by 40 CFR 268.7(a)(2), the following certification is made for these restricted wastes: (Check One)

A ☐ I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 40 CFR Part 268 Subpart D and all applicable prohibitions set forth in 40 CFR 268.32 or RCRA section 3004(d). I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment.

B ☒ I notify that I am familiar with the waste through analysis and testing or through knowledge of the waste to support this notification that the waste is subject to the treatment standards, specified in 40 CFR 268 subpart D. Waste must be treated to the appropriate regulatory treatment standard, by the appropriate regulatory treatment method.

C ☐ This hazardous debris is subject to the alternate treatment standards of 40 CFR 268.45. The waste contains the following contaminants subject to treatment. (Check all that apply).

☐ 268.45 (b) (1) - Toxicity characteristic debris

☐ 268.45 (b) (2) - Debris contaminated with listed waste

☐ 268.45 (b) (3) - Cyanide reactive debris

SIGNATURE _____ TITLE Senior Vice President

GENERATOR NAME/LOCATION:

NOTE: PLEASE ATTACH WASTE ANALYSIS DATA. (OPTIONAL) DATE: 3/4/08

PROFILE NUMBER:

THIS IS A NON-WASTEWATER UNLESS THIS BOX IS CHECKED ☐ INDICATING WASTEWATER.

EPA CODES	SUBCATEGORY or WATE DESCRIPTION	CONSTITUENT CONCERN	NON-WASTEWATER TOTAL COMPOSITION (mg/kg) (Method)[1]	NON-WASTEWATER TCLP (mg/L)[1]	WASTEWATER TOTAL COMPOSITION (mg/L) (method)[1]
A. TREATMENT STANDARDS FOR CHARACTERISTIC WASTES					
☐ D001	Ignitable liquids, high-TOC non-wastewater subcategory		RORG;or COMBST	-	-
☐ D001	Ignitable liquids, low-TOC non-wastewater subcat (TOC<10%)		DEACT & UHC STANDARDS	-	DEACT (9) & UHC STANDARDS
☐ D001	Ignitable liquids, wastewater subcat (TOC <1% & TSS<1%)		DEACT (9)	-	DEACT (9)
☐ D002	Acid subcategory	pH<2.0	DEACT (9) & UHC STANDARDS *		DEACT(9) & UHC*
☐ D002	Alkaline subcategory	pH>12.5	DEACT (9) & UHC STANDARDS *		DEACT(9) & UHC*
☐ D002	Other subcategory		DEACT & UHC STANDARDS *		DEACT & UHC*
☐ D004	Arsenic	Arsenic	-	5.0[4]	5.0
☐ D005	Barium	Barium	-	100	100
☐ D006	Cadmium	Cadmium	-	1.0	1.0
☐ D006	Cadmium batteries subcategory	Cadmium	RTHERM (24)	-	-
☐ D007	Chromium	Chromium (Total)	-	5.0	5.0
☐ D008	Lead	Lead	-	5.0[4]	5.0
☐ D008	Lead acid batteries[5]		RLEAD (13)	-	-
☐ D009	Low-mercury subcategory (<260 mg/kg total mercury)	Mercury	-	0.2	-
☐ D009	High-mercury subcategory (>260 mg/kg total mercury)	Mercury	RMERC or IMERC(6)	-	-
☐ D010	Selenium	Selenium	-	5.7	1.0
☐ D011	Silver	Silver	-	5.0	5.0
☐ D012	Endrin	Hexachloroepoxy-octahydro-dimethano-naphthalene	0.13[6]	-	BIODG;INCIN(19)
☐ D013	Lindane	Isomer of Hexachlorobenzene	0.066[6]	-	CARBN;INCIN(26)
☐ D014	Methoxychlor	MethoxyDDT	0.18[6]	-	WETOX;INCIN(27)
☐ D015	Toxaphene	Toxaphene	2.6[6]	-	BIODG;INCIN(19)
☐ D016	2,4D	2,4Dichlorophenoxyacetic Acid	10.0[6]	-	CHOXD;(28) BIODG;INCIN
☐ D017	2,4,5-TP (Silvex)	2,4,5-Trichlorophenoxy-propionic acid	7.9[6]	-	CHOXD;INCIN(1)
☐ D018	Benzene	Benzene	-	10	14
☐ D019	Carbon tetrachloride	Carbon tetrachloride	-	6.0	.057
☐ D020	Chlordane	Octachloromethano-tetrahydroindano	-	.26	.0033
☐ D021	Chlorobenzene	Chlorobenzene	-	6.0	.057
☐ D022	Chloroform	Chloroform	-	6.0	.046
☐ D023	o-Cresol	o-Cresol	-	5.6	.11
☐ D024	m-Cresol	m-Cresol	-	5.6	.77
☐ D025	p-Cresol	p-Cresol	-	5.6	.77
☐ D026	Cresol	Total Cresols	-	11.2	.88
☐ D027	1,4-Dichlorobenzene	1,4-Dichlorobenzene	-	6.0	.090
☐ D028	1,2-Dichloroethane	1,2-Dichloroethane	-	6.0	.21
☐ D029	1,1-Dichloroethylene	1,2-Dichloroethylene	-	6.0	.025
☐ D030	2,4-Dinitrotoluene	2,4-Dinitrotoluene	-	140	.32
☐ D031	Heptachlor	Heptachlor	-	.066	.0012
☐ D031	Heptachlor Epoxide	Heptachlor Epoxide	-	.066	.016
☐ D032	Hexachlorobenzene	Hexachlorobenzene	-	10	.055
☐ D033	Hexachlorobutadiene	Hexachlorobutadien	-	5.6	.055
☐ D034	Hexachloroethane	Hexachloroethane	-	30	.055

EPA CODES	SUBCATEGORY or WATE DESCRIPTION	CONSTITUENT CONCERN	NON-WASTEWATER TOTAL COMPOSITION (mg/kg) (Method)[1]	NON-WASTEWATER TCLP (mg/L)[1]	WASTEWATER TOTAL COMPOSITION (mg/L) (method)[1]
A. TREATMENT STANDARDS FOR CHARACTERISTIC WASTES (continued)					
☐ D035	Methyl ethyl ketone	Methyl ethyl ketone	-	35	.28
☐ D036	Nitrobenzene	Nitrobenzene	-	14	.068
☐ D037	Pentachlorophenol	Pentachlorophenol	-	7.4	.089
☐ D038	Pyridine	Pyridine	-	16	.014
☐ D039	Tetrachloroethylene	Perchloroethylene	-	6.0	.056
☐ D040	Trichloroethylene	Trichloroethylene	-	6.0	.054
☐ D041	2,4,5-TP	2,4,5-Trichlorophenol	-	7.4	.18
☐ D042	2,4,6-Trichlorophenol	2,4,6-Trichlorophenol	-	7.4	.035
☐ D043	Vinyl chloride	Vinyl chloride	-	6.0	.27
B. TREATMENT STANDARDS FOR "F"-LISTED WASTES					
F001 — Spent halogenated solvents used in degreasing[8]	☐ Carbon tetrachloride		6	-	0.057
	☐ Methylene chloride		30	-	0.089
	☐ Tetrachloroethylene		6	-	0.056
	☐ 1,1,1-Trichloroethane		6	-	0.054
	☐ Trichloroethylene		6	-	0.054
	☐ 1,1,2-Trichloro-1,2,2-trifluoroethane[7]		30	-	0.057
	☐ Trichloromonofluoro-methane		30	-	0.02
F002 — Spent halogenated solvents[8]	☐ Chlorobenzene		6	-	0.057
	☐ o-Dichlorobenzene		6	-	0.088
	☐ Methylene chloride		30	-	0.089
	☐ Methylene chloride (wastewater from the pharmaceutical industry)		-	-	0.44
	☐ Tetrachloroethylene		6	-	0.056
	☐ 1,1,1-Trichloroethane		6	-	0.054
	☐ 1,1,2-Trichloroethane		6	-	0.054
	☐ Trichloroethylene		6	-	0.054
	☐ 1,1,2-Trichloro-1,2,2-trifluoroethane[7]		30	-	0.057
	☐ Trichloromonofluoro-methane		33	-	0.02
F003 — Spent non-halogenated solvents[8]	☐ Acetone		160	-	0.28
	☐ n-Butyl alcohol		5.6	-	2.6
	☐ Cyclohexanone[9]		-	-	0.36[9]
	☐ Ethyl acetate		33	-	0.34
	☐ Ethyl benzene		10	-	0.057
	☐ Ethyl ether		160	-	0.12
	☐ Methanol[9]		-	-	5.6[9]
	☐ Methyl isobutyl ketone		33	-	0.14
	☐ Xylenes (total)		30	-	0.32
F005 — Spent non-halogenated solvents[8]	☐ Benzene		10	-	.14
	☐ Carbon disulfide[9]		-	-	3.8
	☐ 2-Ethoxyethanol		INCIN(2)	-	BIODG;INCIN(19)
	☐ Isobutyl alcohol		170	-	5.6
	☐ Methyl ethyl ketone		36	-	0.28
	☐ 2-Nitropropane		INCIN(2)	-	WETOX; or CHOYD & CARBN or INCIN
	☐ Pyridine		16	-	0.014
	☐ Toluene		10	-	0.08

* Attach D001-D002 Underlying Hazardous Constituent Form and Check Box for each Constituent present.